



RESEARCH REPORT

Catalog number	99-012
Date:	January 25, 2000
Subject:	Teen Court Expansion
To:	David Smith, County Administrative Officer
From:	Sandi Wilson, Deputy County Administrator Chris Bradley, Budget Manager
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EXECUTIVE SUMMARY

ISSUE

The Juvenile Probation Department (JPD) states that the current level of operations for their Teen Court Program is facing "capacity limitations" on existing resources. Is there need and justification for additional funding for Teen Court Program staff and operational resources?

Conclusions:

- Teen courts typically can and are run on very low budgets. The national average annual budget for one teen court is \$32,000, with a low budget of \$800 and a high budget of as much as \$95,000. Grant funds are available from many different sources such as federal and state governments, and private, community and non-profit organizations. Teen court programs are also typically financed through donations and volunteer membership fees. As well, some teen courts will ask local juvenile justice courts to split the cost of normal court processing fees with them for each referral to the teen court. Although donation solicitation is against the Judicial Code of Conduct, grant funding is available.
- Supplies and services are typically obtained through donations and surplus sources.
- Volunteers make up the staff in a teen court, with the unusual exception where a teen court's budget is large enough that a Teen Court Coordinator may enjoy a part-time paid position, and in this position coordinate two or more teen courts at a time.
- Government participation in teen court programs is typically coordinated through lower jurisdiction courts, with Teen Court Moderators and Coordinators as volunteer positions and, occasionally when funding allows, Teen Court Coordinators are paid Probation Officer positions within a juvenile justice system, some grant-funded while others may be funded by government budgets.
- Clerical support staff for teen court programs in a juvenile justice system are usually filled by a Court Information Processor and funded through grant funds.
- Research shows that there are many funding resources available in the form of government grants and other non-government fund sources that support youth programs specifically geared towards reducing juvenile crime, juvenile diversion, juvenile drug use, alcohol abuse, and other criminal and

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delinquent activities. Based on information from JPD, the department does not have the capability to apply for grant funding.

- The calculation for maximum caseload capacity by OMB takes into consideration a 42-week workload. Based on information from JPD, 210 cases are extreme for each court. A more attainable maximum caseload is 180 cases based on a 36-week workload. The 36 weeks coincides with the 9-month school year.
- There are no statistics available for reference from active teen court programs that measure the effectiveness on recidivism rates nationally or locally, nor are there standard performance measures. Based on the lack of statistics and other measurable data, there is no clear indication on whether a teen court helps reduce the cost of processing and sentencing a juvenile through the standard juvenile justice system, or its effectiveness on recidivism. However, the popularity of teen courts is growing substantially, largely due to the benefit of providing a first-time offender the opportunity to "right a wrong", to keep a juvenile record clean, and to use the power of peer pressure as a tool to prevent and intervene.
- Based on research, the amount of time to establish one teen court can run from one month for a very small local teen court, to several months for a well-run and well-established teen court with ties to community organizations to fulfill sentencing requirements of community service and organizations to provide counseling and support.
- While teen courts have proven to be a popular method of juvenile crime diversion across the United States, the JPD Teen Court Program has provided no statistics for measurement on its efficiency or effectiveness within Maricopa County. As of January 1999, the JPD has been tracking the program and has developed performance measures with which to eventually define the program's effectiveness (refer to Appendix A, page 19). Without some form of measurement, it is difficult to assess the level of need to fund such a program. This type of program is not mandated and the desire for funding such a program needs to be considered and prioritized against other mandated funding needs.

RECOMMENDATIONS

Based on the conclusions, OMB recommends the following:

- OMB recommends that the Juvenile Probation Department provide a five-year strategic business plan detailing current and future Teen Court development and sponsorship. In the strategic plan, JPD will identify each teen court that will be established for each year and costs related for start-up and operations. OMB and JPD are in agreement that each teen court be individualized and receive funds as a lump sum budget. This will allow each court to operate in a fashion that is most suitable for its area. Further discussion between OMB and JPD will occur upon completion of the strategic plan by JPD in November 1999.
- OMB does not recommend the allocation of General Government contingency funds for 14 Teen Court Moderators in anticipation of establishing 14 teen courts in the current fiscal year. This goal is extremely ambitious equating to establishing 1.4 courts per month for the remainder of this fiscal year. Due to the time and effort needed to establish each court and to garner the support of key

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stakeholders such as law enforcement agencies, judges, schools, city and state officials, victims, youth, parents, mental health professionals, and youth-serving agencies, these goals appear unattainable within the time frame. With already established practices in the JPD and current key stakeholders participating in the JPD, it is more reasonable to project three to four teen courts can be established and operational by fiscal year-end. The establishment of teen courts will be more closely reviewed once the strategic plan has been completed.

- OMB recommends JPD explore the feasibility of operating a Teen Court Program similar to the Pima County model. Pima County has contracted with a non-profit group which is able to garner community support and receive donations, equipment, supplies, etc.. *
- * **The Pima Prevention Partnership was established in 1995 and works in unison with: Pima County Superior and Juvenile Court, Pima County Bar Association, Young Lawyers Division, Tucson Unified and Sunnyslope School Districts, Tucson Police Department, Pima County Sheriff's Department, SafeSchools Program of Juvenile Court, Pima County Attorney's Office, and the Pima County Justice Courts. Through various donations, the Pima Prevention Partnerships' budget for FY 1997-98 was \$161,374.**
- OMB recommends that the Teen Court Pilot program be evaluated after 18 months through performance measurement statistical data including cost avoidance at the Juvenile Court level. This will allow JPD to maximize each court's case potential.
- OMB does not recommend the allocation of General Government contingency funds to expand the teen court program at this time. There are many grants and other funding sources available at the local, state and federal level that can be sought to support the program and the JPD should actively pursue these funding resources to expand the program. Resources such as the Catalog of Federal Domestic Assistance database on the Internet are available to help find sources of funding. The database can be found at <http://www.gsa.gov/fdac/>. JPD should contact Superior court for utilization of a Judicial Grant Writer. OMB recommends that the JPD use the remainder of this fiscal year pursuing and applying for youth program grants and other funding sources so that funding is available for FY 2000-01 to expand the Teen Court Program. Because of limited If at such time JPD applies for federal, state, and local grants and is denied funding, other sources of revenue will be considered for the Teen Court program.

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Issue

The Juvenile Probation Department (JPD) states that the current level of operations for their Teen Court Program is facing "capacity limitations" on existing resources. Is there need and justification for additional funding for Teen Court Program staff and operational resources?

Background:

The Juvenile Probation Department (JPD) submitted a FY 1999-00 budget issue requesting General Government funding to expand the current JPD Teen Court Program by adding additional staff to support and coordinate the development of additional lower jurisdiction court teen courts and school-based teen court sites. The request for \$349,534 in funding encompasses \$321,784 in staff positions (7-contract lower jurisdiction court Teen Court Moderators, 7-contract YMCA school-based Moderators, 2-support staff (Court Information Processors), and 2-Youth Supervisors). Included is a \$10,200 request for capital outlay (3 laptop computers) and Supplies/Services of \$17,550 (office furniture and supplies, cell phones, mileage costs, training, and development funds).

In the following budget issue research, several factors have been considered for the JPD Teen Court Expansion budget issue: communities' involvement (support and impact), teen court program participants, caseload (standard diversion to teen court), cost of operating and administration, and funding sources.

Discussion:

AT THE NATIONAL LEVEL

INTRODUCTION: WHAT IS "TEEN COURT"?

"Teen court" - also known as "youth court" or "peer court" - is a juvenile diversion program used as an alternative to sending a juvenile offender through a juvenile justice system for first-time misdemeanor offenses. In a teen court, juvenile offenders are held accountable for their actions through a sentence imposed by their peers.

The concept behind teen courts is to use the power of peer pressure as a catalyst to deter further errant behavior. Teens tend to see a decision made by their peers as having much greater validity than the same judgement being made by an adult. As well, teen jurors are familiar with the environment where the offense occurred and are much more likely to correctly assess the validity of excuses offered by the defendants.

TEN REASONS FOR USING TEEN COURTS

- 1 Can cut down the crime rate of teenagers
- 2 Teens learn from their mistakes by early intervention
- 3 Cost efficient
- 4 Parents and guardians can be involved in the process
- 5 Allows young people to get involved within the community
- 6 First-time offenders keep their juvenile court record clean
- 7 Confidential handling of cases
- 8 The program is totally voluntary
- 9 Makes teens accountable for their actions

To qualify for a hearing in a teen court, the youth will already have admitted guilt to a first-time misdemeanor offense. The offense is then heard during the teen court session, and the teen jury decides on an appropriate and fair sentence.

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TEEN COURT OFFENSES

Teen Court Offenses at the national level range from theft and alcohol/drug related to truancy and violence.

Types Of Offenses Accepted By Teen Courts at the National Level	
Offenses	% of Programs Accepted
Theft	97
Alcohol/Drugs	95
Vandalism	92
Disorderly Cond	90
Assault	83
Traffic	59
Truancy	48
Violent	20
Other:	27

According to JPD, the County Attorney has compiled a list of offenses that are not eligible for the teen court program. Those are felony offenses, misdemeanor offenses involving a weapon, misdemeanor graffiti offenses, misdemeanor DUI offenses, or misdemeanor offenses on juveniles having had a petition filed.

ARS 8.821 (C) states: "Except as provided in § 8.823, the County Attorney has sole discretion to decide whether to divert prosecution of a Juvenile Offender. The County Attorney may designate the offenses that shall be retained by the Juvenile Court for diversion or that shall be referred directly to a community based alternative program, those offenses have not been redirected to a diversion program".

TEEN COURT STAFFING

Within a teen court structure, juveniles serve in roles as members of the jury, attorneys, bailiffs,

and in some instances, as judge. Teen courts are organized in various venues. Many teen courts are school-based, with students serving the main roles of judge, jury and attorneys, and a staff teacher volunteering as Court Moderator or Court Coordinator. Teen Courts staffed in juvenile justice systems and community-based systems typically choose an adult judge, with this judge as the only adult present during court sessions. Overall, the majority of teen courts are run with all-volunteer positions, and will have only one adult present during court sessions, serving as either the judge or as a "court master" who serves in an informational role only and to be called upon by the teen attorneys to ask additional questions of the defendant when they feel they need further direction.

COMMUNITY IMPACT

Teen courts serve an important function within a community; they are an effective tool for prevention and early intervention of youth offenses.

Many teen courts throughout the nation operate as school-based courts, where offenses committed during the course of a school day are tried on school premises, typically after school hours. Youth spend a large part of their day in school, and the school's culture and society becomes a very important part of their social life. Social behavior learned in a school culture is a stepping stone to learning the rules of behavior in public society. Thus, it is a very effective aid as a deterrent; their peers whom they face daily provide a constant reminder of their offense, and pressure from their peers is often enough to prevent repetition of unacceptable social behavior.

Types of Sentences That Can Be Imposed

Teen court jury duty
Peer Pressure Workshops
Written and Oral Apologies
Restitution
Decision Making Workshops
Curfew
Written Assignments
Substance Abuse Evaluation
Resignation from SADD/DAF
Violence Prevention Workshop
MADD Impact Program
Anger Management Workshop
Individual Counseling
Family Counseling
Drivers Education Program
Self-Esteem Workshop
Gun Safety Workshop
Random Drug Testing
Visit to juvenile detention home
WalMart Theft Seminar

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Parents are an integral part of the teen court process. Initially, parents must agree to have their youth's offense heard in a teen court, as well as agreement from the youth to participate and abide by the terms of sentence. Teen courts require varying degrees of parental participation; some may require parents to be present during the court proceedings, others may require participation only after sentencing where the terms of the sentence are discussed with and supported by the parents as a requirement of participation. Regardless of the method used, parents are a necessary ingredient to the success of the program.

Sentences given in teen courts provide a more direct community impact. Sentences typically incorporate one form or another of community service, which gives the youth a chance to learn "good citizenship" through hands-on experience. Community service sentences may be given in the form of providing service in homeless shelters, nursing homes, parks, or cleaning up neighborhood areas.

All of the volunteers in a teen court provide a service to their community through the teen court process itself. There are many instances where teen courts require the offender to serve in some capacity in the teen court process as part of their sentence. After sentences are satisfactorily completed, many former offenders become active in the teen court as a continuing volunteer. This provides the offender - as well as the volunteers - an opportunity to learn about the law and acceptable social behavior, as well as provide a means to learn new skills.

Teen Courts on the Rise		
Year	Teen courts	States with teen courts
1976	2	2
1991	50	14
1994	78	17
1997	340	36
1999	560	47

Teen courts have become very popular in recent years. There are no reliable statistics on the effectiveness of teen courts in the prevention and intervention of juvenile crime. Still, they are embraced by the criminal justice system as a way of reducing caseloads in traditional courts while still ensuring that juvenile offenders are punished. As of 1999, there are over 560 teen courts in 47 states within the United States. Their rapid growth is very compelling evidence that this approach to juvenile offense diversion is fulfilling a recognized need.

TEEN COURT MODELS

There are no national standards that indicate which teen court model should be used or which is most effective, however, four models have developed over the years that have become preferred styles of organizing and conducting a teen court. Of the four models, the Adult Judge Model is the most commonly employed.

ADULT JUDGE MODEL	YOUTH JUDGE MODEL
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<ul style="list-style-type: none"> Most widely used. Youth volunteers serve as attorneys and jurors. Youth volunteers serve as court clerks and bailiffs. An adult volunteer serves as judge, is typically the only adult involved directly in the proceedings, rules on courtroom procedure, and clarifies legal terminology. 	<ul style="list-style-type: none"> A youth volunteer serves as judge. Qualifications typically include a minimum level of service as a teen court attorney and minimum age requirements). Court operates similar to Adult Judge model.
YOUTH TRIBUNAL MODEL	PEER JURY MODEL
<ul style="list-style-type: none"> Most employ a panel of 3 youth volunteer judges. The judge with the most experience sits in the middle of the panel and can counsel the other judges, if needed. The case is presented by the youth attorneys. No youth jurors. For teen court programs that adjudicate cases, this model typically is used for arraignment proceedings. 	<ul style="list-style-type: none"> An adult volunteer serves as judge. Does not use youth in defense and prosecuting attorney roles. The facts of the case are read by a case presenter and a panel of youth jurors question the defendant directly. The case presenter could be the teen court coordinator, a probation or law enforcement officer, or a youth or adult volunteer.

OPERATION AND ADMINISTRATION OF TEEN COURTS:

Teen courts rely heavily on youth and adult volunteers to perform operational and administrative functions for their programs, and vary in their operating methods across the United States. Agencies operating and administering teen court programs include juvenile courts and juvenile probation departments, law enforcement, and private, non-profit organizations and schools:

Juvenile Justice System-Based Operation

Administration:

Teen courts operating within juvenile justice agencies include programs of law enforcement, juvenile probation, and district or municipal courts. For example:

- In Oregon, the Beaverton Youth Peer Court is operated by the Beaverton Police Department.
- In Pennsylvania, the Peer Jury Program is administered in the Erie Juvenile Probation department.
- In Texas, many teen courts are sponsored by city governments.

Benefits:

- Direct access to referrals: point of initial contact by police, screening by juvenile probation or intake, or appearance before a juvenile or municipal court judge.
- Juvenile justice system staff understands the juvenile justice system process and have ready access to information such as re-arrests and adjudication
- A more direct tie to the formal court process as an enforcement tool or follow-up mechanism when offenders do not comply with program requirements.

Disadvantages:

- Time and budgetary constraints
- Competing demands on staff time
- Changing political climates within government agencies in some jurisdictions.

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Funding:

- Typically absorbed as part of an agency's or government's overall budget.
- Program staffing can be incorporated as part of the duties of a police officer or probation officer, or if funding allows, a position as Teen Court Coordinator may be created.

COMMUNITY-BASED OPERATION

Administration:

A number of teen court programs are incorporated as, or operated by, private non-profit organizations. For example:

- Indiana: The LaPorte County Youth Services Bureau, a non-profit organization, administers The LaPorte Teen Court Program.
- Florida: The Sarasota Teen Court Program is incorporated as a non-profit agency itself.
- **Arizona: Pima County Teen Court has been established by Pima Prevention Partnership which is a non-profit organization. ***

Benefits:

- Direct access to vital referral sources for other services such as counseling and workshops, when run within a multi-program organization.
- Direct links and ties to resources from other youth serving organizations that can complement and augment the teen court program's services.
- Greater flexibility and creativity in program management and operations.

Disadvantages:

- Because they are not part of the juvenile justice system they often have to prove their credibility and work hard at building trust.
- To be successful, cooperation and coordination between the community-based program and the juvenile justice system is essential, especially when receiving referrals for the program and obtaining access to information needed to track the success of the program.

Funding:

- Programs operated in this system do not have a constant, secure funding base, and are required to seek constantly changing outside sources of funding.
- Some community-based programs may receive a portion of their funding from government funds (Federal, State, County, City); other typical fund sources include grants from private foundations and community organizations, individual donations, fund-raisers and special events.

- * **The Pima Prevention Partnership was established in 1995 and works in unison with: Pima County Superior and Juvenile Court, Pima County Bar Association, Young Lawyers Division, Tucson Unified and Sunnyslope School Districts, Tucson Police Department, Pima County Sheriff's Department, SafeSchools Program of Juvenile Court, Pima County Attorney's Office, and the Pima County Justice Courts. Through various donations, the Pima Prevention Partnerships' budget for FY 1997-98 was \$161,374.**

SCHOOL-BASED SYSTEM

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Administration:

School-based teen court programs are typically administered and operated within the schools themselves. It provides direct access to a pool of youth volunteers and teaching staff typically serve as volunteer moderators. Training of volunteers could be incorporated into the curriculum or an extra-curricular activity. After school hours, hearings can be held on school premises or in a local courthouse.

Benefits:

- Offers teachers and school administrators an alternative disciplinary action; a referral to a teen court may be used in lieu of suspension or expulsion, for example.
- Staff teachers serve voluntarily as Teen Court Moderators and/or Coordinators.
- Incorporated as part of a curriculum, students receive credits.

Disadvantages:

- Limited resources may place restrictions on the types and level of services or sentencing options available for offenders sentenced by the program.
- Time constraints placed on teachers or administrators who oversee the program may limit the scope of what the program can accomplish.

Funding:

- Can be incorporated into the school budget, however, the cost is minimal compared to other system-based programs; in house resources are typically utilized.

FUNDING AND SUPPORT RESOURCES

Funding and sponsoring for teen court programs are available from many different resources, and these sources continue to grow with the popularity of teen courts. Most commonly, grants are available at the federal and state government levels, but other types of funding and support can also be found nationally from major corporations that support youth programs, non-profit organizations, for-profit organizations, and at a local level through community organizations.

Support for teen courts is obtained through key stakeholders in the community. Key stakeholders are law enforcement agencies, judges, schools, city and state officials, victims, youth, parents, mental health professionals, and youth-serving agencies.

AT THE LOCAL LEVEL

MARICOPA COUNTY JUVENILE PROBATION DEPARTMENT TEEN COURT PROGRAM

The Maricopa County Juvenile Probation Department (JPD) sponsors a non-mandated Teen Court Program. The JPD Teen Court Program provides juvenile crime diversion from the juvenile justice system by referring cases to eight local school-system based teen courts and two juvenile justice system-based courts (lower jurisdiction courts) - Tempe Justice Court and Chandler Justice Court.

ORGANIZATION, ADMINISTRATION AND STAFF

The Maricopa County Teen Court Program is administered by the Juvenile Probation Department, and funded through a Juvenile Diversion grant and Diversion fees. Currently within the JPD Teen Court

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Program, two Juvenile Probation Officers (PO) serve as Teen Court Coordinators and interact between the JPD Teen Court Program and the participating teen courts. The JPO Teen Court Coordinators report to one Juvenile Probation Officer Supervisor, with all three positions funded out of the JPD's Juvenile Diversion grant funds.

The JPO Teen Court Coordinators review police records for juvenile offenses coming through the Maricopa County juvenile justice system for potential referral to either of the two previously mentioned system-based teen courts within Maricopa County. The types of cases that typically are eligible for referral are minor first-time offenses such as petty theft, possession of alcohol, truancy, and disorderly conduct.

The Teen Court Coordinators also provide additional services to the teen courts such as visiting assigned teen court sites, assisting in the administration of the courts, providing training of teen court volunteers, monitoring compliance, performing needs and risk assessments, providing victim notification, and performing data entry of case information.

One Court Information Processor (CIP) II position provides program support for the two lower jurisdiction courts performing such tasks as creating dockets for new cases or citations, maintaining files, composing correspondence to defendants, creating various documents, maintaining statistical information on teen courts, monitoring cases from Juvenile Probation for 90 day compliance requirement, and other tasks as needed or assigned. Although this position mainly provides administrative support to both lower jurisdiction teen courts, a small degree of this position's clerical support is currently being provided to the Justice Courts. This CIP II position is funded out of the JPD's Juvenile Diversion grant and is budgeted for FY 1999-00.

The contracted Teen Court Moderator is responsible for coordinating the teen court effort of the two lower jurisdiction courts. Additionally, in the past this position provided transportation to participating teens and defendants, as well as other participants in the teen court sessions, if needed. The Teen Court Moderator also coordinates sentencing activities such as setting up a community service sentence with local community organizations and businesses. This position in previous fiscal years was under contract to coordinate the Tempe and Chandler Teen Courts. This position is currently under contract for FY 1999-00 for both Tempe and Chandler Justice Courts. The cost for this contract position is budgeted in the Juvenile Diversion grant fund under Contract Services for FY 1999-00.

STAFFING REQUEST

According to the JPD's Teen Court Program Director, each JPO Teen Court Coordinator can facilitate a maximum of five (5) school-based teen courts and two (2) lower jurisdiction courts. However, if a Teen Court Coordinator (for example, the above-mentioned contract position) is assigned to a lower jurisdiction court, the JPO Teen Court Coordinator can facilitate one (1) additional court. Looking at current operations - which consist of seven school-based teen courts and two lower jurisdiction courts (one of which has a Teen Court Coordinator) - each JPO Teen Court Coordinator's workload is as follows:

JPO Teen Court Coordinator 1
 Borman Junior High
 Centennial Middle School
 Isaac Junior High
 Kino Junior High

JPO Teen Court Coordinator 2
 Desert Vista High

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Powell Junior High
Mountain Pointe High
Tempe Teen Court
Chandler Teen Court

The JPD anticipates developing seven (7) additional school-based courts and seven (7) additional lower jurisdiction courts within their Teen Court Program for FY 1999-00. Of the two JPO Teen Court Coordinators, the second JPO Teen Court Coordinator was hired in April 1999 in anticipation of this expansion. The second JPO Teen Court Coordinator position is not fully utilized and could be used to provide some of the requested support for the program until such time as all anticipated teen courts are established.

Staff Request: Seven (7) "Teen Court Moderators" for lower jurisdiction courts

The term "moderator" in a teen court setting is understood to mean a person who attends and "moderates" each teen court session – in essence, the control mechanism in how the court is run. A teen court moderator is a key position in the internal operation of a teen court during court sessions. They moderate court room activity, providing direction to the teen attorneys, jury, bailiffs, and sometimes the judge (when a teen is assuming this role). The role of the JPD Teen Court Program is self-described as a sponsorship role, defined as referring cases to teen courts in each system mentioned and to help establish, organize, provide training and support if needed, and to track the effectiveness of the program. To request "teen court moderators" implies that the JPD will assume a more controlling role on how the teen courts will be conducted.

Regardless of this role, the request for seven (7) moderators for lower jurisdiction courts is high, considering the amount of time it takes to establish a teen court and to garner needed support from the lower jurisdiction courts, as well as gaining support of key stakeholders in the community who will provide means for carrying out sentences of community service and other support services such as counseling.

Ideally, it makes sense to first consider filling these positions as volunteer positions which is common practice, according to our research. In the event a volunteer is not found, it can be established whether funding is available within a lower jurisdiction court's budget to fund the position. Alternately, other available grant funding sources should be sought.

Staff Request: Seven (7) "YMCA Moderators" for the school-based teen courts

The YMCA is a non-profit youth organization that conducts its own efforts to start school-based teen court programs. Local YMCA Program Directors contact community schools to generate interest in starting a teen court program, and then aid the school in the organization, development and ongoing support of the program. The "teen court moderator" is typically a volunteer staff teacher. Also, many of the school-based programs are developed as a project in the school's curriculum to allow participating students to attain credit, as well as learn new skills.

The YMCA conducts its own fund-raising campaigns to solicit funding for all of its youth programs at one time. After the campaign, funding is allocated to each youth program based on program needs. Within the Ahwatukee YMCA, for example, the Teen Court Program is allocated approximately \$3,000 to cover the cost of marketing collateral used for recruiting teen volunteers into the Teen Court Program and for training materials - mainly manuals on how to set up and run a teen court. A portion of this amount also

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covers a portion of the administrative salary of the Program Director, of which the remaining salary is allocated from all other program funds received. Therefore, County-paid YMCA Moderators is unjustified.

Staff Request: Two (2) Youth Supervisors

The job scope of a Youth Supervisor is: 1) to monitor school-based work programs as consequences to juvenile delinquency, 2) provide transportation for juveniles from school to court for participation in teen court, 3) monitor youth participating in court. The JPD states that a ratio of 10 teens to 1 Youth Supervisor is recommended to insure juvenile safety supervision in both regular and school-based teen courts.

The addition of one (1) Youth Supervisor for this fiscal year is reasonable with the current level of teen courts sponsored by the JPD. The addition of a Youth Supervisor will free up a portion of the Teen Court Coordinator's time so that he/she may properly manage two lower jurisdiction courts at one time, thereby maximizing the utilization of human resources and the time spent on preparing for and organizing teen court sessions. However, funding for this should be sought through appropriate grant funds and other non-County funding sources.

Staff Request: Two (2) Support Staff (CIP's)

The job scope of a CIP support position is generally to aid in the clerical administration of the lower jurisdiction courts teen courts within the JPD's Teen Court Program. One CIP position can administer two lower jurisdiction courts at one time. The current CIP position funded in the Juvenile Diversion Grant supports the Tempe Teen Court and the Chandler Teen Court, as well as providing a portion of service to the Justice Courts. Funding of this position in the Juvenile Diversion grant fund is a requirement of the administration of the grant funds.

With the current level of sponsorship of teen courts in the JPD Teen Court Program, the addition of one (1) CIP support staff is reasonable, with the intent of establishing additional lower jurisdiction court teen courts. The current CIP position is fully maximized and would not be able to manage additional teen courts and their administration. Funding and support for this position should be sought through appropriate grant funds and other non-County funding sources, or through the Juvenile Diversion grant funds.

CASELOAD AND CAPACITY STATISTICS

Currently, the JPD Teen Court Program refers cases to seven (7) school-based teen courts and two (2) lower jurisdiction courts - Tempe and Chandler Justice Courts. The total actual referred caseload to both the school-based and lower jurisdiction courts for FY 1998-99 is 307 cases (case count indicated 293 juveniles assigned). Following is a breakdown of the referrals by location and types of cases referred:

1. School-Based System:

Types of Cases:

Low-level misdemeanor delinquency cases are referred to the school-based teen court programs. The most common type of case referred is shoplifting, but thefts occurring on school campus are also

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common. Prior to 1999, the JPD Teen Court program system did not define the individual school programs and cases were totaled together.

Of the seven schools listed below that hold teen court sessions, Borman Junior High hears school-based cases only; Mountain Pointe High hears delinquency-related cases only. The remaining schools hear both school- and delinquency- related cases.

Actual Caseload:

Monthly Caseload per school: 2 to 4 cases of delinquency status

Annual Caseload per school: 35 cases assigned, approximately

Total caseload referred: 124 for all schools in total *

* Cases are heard only during the active school year, equating to a 28-week teen court schedule.

All schools have one teen court session per week. The amount of hearings, or cases, that can be heard per session are as follows:

Borman Junior High	4 hearings	Centennial Middle School	2 hearings
Isaac Junior High	2 hearings	Kino Junior High	1 hearing
Powell Junior High	1 hearing	Mountain Pointe High	1 hearing
Desert Vista High	1 hearing		

(Hearings include both school- and delinquency- related cases)

Maximum Capacity:

Currently, Borman Junior High is at maximum capacity. All other schools are at approximately 50% capacity and could be expanded if hearings were extended to three times per week, however, this is solely at the discretion of school administration.

2. Lower Jurisdiction Courts:

Types of Cases:

The Tempe and Chandler Teen Courts accept offenses of shoplifting, theft, assault, trespassing, criminal damage, curfew, runaways, disorderly conduct, and threat and intimidation. But according to the Juvenile Probation Department, cases involving assault, threats, and intimidation are not eligible. Also case involving criminal damage and graffiti are not eligible because of the potential for restitution.

Types and quantities of cases referred to the Tempe Teen Court (as reported by Tempe Teen Court):

FY 97-98 Caseload: 132 cases

<u>Types of cases:*</u>	Shoplifting:	68	Criminal Damage:	4	Assault:	11
	Disorderly Conduct:	6	Trespassing:	8	Curfew:	17
	Threat/Intimidation:	1	Runaways:	2	Theft:	14

FY 98-99 Caseload: 111 cases

<u>Types of cases:*</u>	Shoplifting:	74	Criminal Damage:	0	Assault:	13
	Disorderly Conduct:	7	Trespassing:	2	Curfew:	7
	Threat/Intimidation:	0	Runaways:	2	Theft:	9

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Court Coordinator is not being fully utilized as a resource for these two courts. Increased referrals to these two courts and, thus, full utilization of the Teen Court Coordinator, can alleviate a degree of the capacity constraints noted by the JPD as "the ability to coordinate and operate".

Funding

TEEN COURT OPERATIONAL COSTS

According to the American Probation and Parole Association's national survey on teen courts, annual budgets for operating one teen court can range from \$800 to \$95,000, with an average of \$32,000. The JPD has a total annual operational budget of \$179,872 for FY 1998-99 and has funded \$146,120 for FY 1999-00. The Juvenile Diversion Grant fund received through the Arizona Supreme Court is \$104,012, and covers the majority of the JPD's annual Teen Court Program operating costs. The breakdown of the grant is as follows:

Personnel (one CIP): \$25,620 plus ERE (benefits) of \$5,892 (Total \$31,512)
Contract Services: \$72,500

JPD provided the following FY 1998-99 Teen Court Program budget information in submitting their FY 1999-00 budget issue:

Current funded positions:	1 PO Teen Court Coordinator	\$47,029
	1 PO Teen Court Coordinator	\$35,318
	1 PO Supervisor	\$39,229
	1 Support Staff (CIP)	\$23,296
	1 Teen Court Moderator (Tempe)	\$15,000
	1 Teen Court Moderator (Chandler)	\$12,000
Operating Costs:	Recognition/Appreciation Awards	\$ 5,000
	Materials and Supplies	<u>\$ 3,000</u>
Total Operating Costs		\$179,872

JPD has provided the following FY 1999-00 Teen Court Program budget allocation:

Funded Positions:	1 PO Teen Court Coordinator	\$45,335
	1 PO Teen Court Coordinator	\$37,219
	1 PO Supervisor (10%)	\$ 5,270
	1 Support Staff (CIP)	\$23,296
	1 Teen Court Moderator (Tempe)	\$15,000
	1 Teen Court Moderator (Chandler)	\$12,000
Operating Costs:	Recognition/Appreciation Awards	\$ 5,000
	Materials and Supplies	<u>\$ 3,000</u>
Total Operating Costs		\$146,120

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The actual costs for personnel were verified with the budget liaison of JPD. The difference of \$33,752 was for the PO Supervisor position. JPD reallocated the funding to the Tempe Community Justice Center.

Conclusions:

- Teen courts typically can and are run on very low budgets. The national average annual budget for one teen court is \$32,000, with a low budget of \$800 and a high budget of as much as \$95,000. Grant funds are available from many different sources such as federal and state governments, and private, community and non-profit organizations. Teen court programs are also typically financed through donations and volunteer membership fees. As well, some teen courts will ask local juvenile justice courts to split the cost of normal court processing fees with them for each referral to the teen court. Although donation solicitation is against the Judicial Code of Conduct, grant funding is available.
- Supplies and services are typically obtained through donations and surplus sources.
- Volunteers make up the staff in a teen court, with the unusual exception where a teen court's budget is large enough that a Teen Court Coordinator may enjoy a part-time paid position, and in this position coordinate two or more teen courts at a time.
- Government participation in teen court programs is typically coordinated through lower jurisdiction courts, with Teen Court Moderators and Coordinators as volunteer positions and, occasionally when funding allows, Teen Court Coordinators are paid Probation Officer positions within a juvenile justice system, some grant-funded while others may be funded by government budgets.
- Clerical support staff for teen court programs in a juvenile justice system are usually filled by a Court Information Processor and funded through grant funds.
- Research shows that there are many funding resources available in the form of government grants and other non-government fund sources that support youth programs specifically geared towards reducing juvenile crime, juvenile diversion, juvenile drug use, alcohol abuse, and other criminal and delinquent activities. Based on information from JPD, the department does not have the capability to apply for grant funding.
- The calculation for maximum caseload capacity by OMB takes into consideration a 42-week workload. Based on information from JPD, 210 cases are extreme for each court. A more attainable maximum caseload is 180 cases based on a 36-week workload. The 36 weeks coincides with the 9-month school year.
- There are no statistics available for reference from active teen court programs that measure the effectiveness on recidivism rates nationally or locally, nor are there standard performance measures. Based on the lack of statistics and other measurable data, there is no clear indication on whether a teen court helps reduce the cost of processing and sentencing a juvenile through the standard juvenile justice system, or its effectiveness on recidivism. However, the popularity of teen courts is growing substantially, largely due to the benefit of providing a first-time offender the

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opportunity to “right a wrong”, to keep a juvenile record clean, and to use the power of peer pressure as a tool to prevent and intervene.

- Based on research, the amount of time to establish one teen court can run from one month for a very small local teen court, to several months for a well-run and well-established teen court with ties to community organizations to fulfill sentencing requirements of community service and organizations to provide counseling and support.
- While teen courts have proven to be a popular method of juvenile crime diversion across the United States, the JPD Teen Court Program has provided no statistics for measurement on its efficiency or effectiveness within Maricopa County. As of January 1999, the JPD has been tracking the program and has developed performance measures with which to eventually define the program’s effectiveness (refer to Appendix A, page 19). Without some form of measurement, it is difficult to assess the level of need to fund such a program. This type of program is not mandated and the desire for funding such a program needs to be considered and prioritized against other mandated funding needs.

RECOMMENDATIONS

Based on the conclusions, OMB recommends the following:

- OMB recommends that the Juvenile Probation Department provide a five-year strategic business plan detailing current and future Teen Court development and sponsorship. In the strategic plan, JPD will identify each teen court that will be established for each year and costs related for start-up and operations. OMB and JPD are in agreement that each teen court be individualized and receive funds as a lump sum budget. This will allow each court to operate in a fashion that is most suitable for its area. Further discussion between OMB and JPD will occur upon completion of the strategic plan by JPD in November 1999.
- OMB does not recommend the allocation of General Government contingency funds for 14 Teen Court Moderators in anticipation of establishing 14 teen courts in the current fiscal year. This goal is extremely ambitious equating to establishing 1.4 courts per month for the remainder of this fiscal year. Due to the time and effort needed to establish each court and to garner the support of key stakeholders such as law enforcement agencies, judges, schools, city and state officials, victims, youth, parents, mental health professionals, and youth-serving agencies, these goals appear unattainable within the time frame. With already established practices in the JPD and current key stakeholders participating in the JPD, it is more reasonable to project three to four teen courts can be established and operational by fiscal year-end. The establishment of teen courts will be more closely reviewed once the strategic plan has been completed.
- OMB recommends JPD explore the feasibility of operating a Teen Court Program similar to the Pima County model. Pima County has contracted with a non-profit group which is able to garner community support and receive donations, equipment, supplies, etc.. *

- * **The Pima Prevention Partnership was established in 1995 and works in unison with: Pima County Superior and Juvenile Court, Pima County Bar Association, Young Lawyers Division, Tucson Unified and Sunnyslope School Districts, Tucson Police Department, Pima County**

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Sheriff's Department, SafeSchools Program of Juvenile Court, Pima County Attorney's Office, and the Pima County Justice Courts. Through various donations, the Pima Prevention Partnerships' budget for FY 1997-98 was \$161,374.

- OMB recommends that the Teen Court Pilot program be evaluated after 18 months through performance measurement statistical data including cost avoidance at the Juvenile Court level. This will allow JPD to maximize each court's case potential.
- OMB does not recommend the allocation of General Government contingency funds to expand the teen court program at this time. There are many grants and other funding sources available at the local, state and federal level that can be sought to support the program and the JPD should actively pursue these funding resources to expand the program. Resources such as the Catalog of Federal Domestic Assistance database on the Internet are available to help find sources of funding. The database can be found at <http://www.gsa.gov/fdac/>. JPD should contact Superior court for utilization of a Judicial Grant Writer. OMB recommends that the JPD use the remainder of this fiscal year pursuing and applying for youth program grants and other funding sources so that funding is available for FY 2000-01 to expand the Teen Court Program. Because of limited If at such time JPD applies for federal, state, and local grants and is denied funding, other sources of revenue will be considered for the Teen Court program.

Research Sources and Contributors:

American Probation and Parole Association (APPA)
National Teen Courts of America (NTCA)
National Criminal Justice Reference Service (NCJRS)
Office of Juvenile Justice and Delinquency Prevention (OJJDP)
YMCA Youth Program
BOS Chairman Fulton Brock
Tempe and Chandler Teen Courts: Judge Ore, Judge Johnson, Bill Graham, Cheryl Owen
Juvenile Probation Department: Judge Portley, Cheryl Townsend, Helen Carter

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APPENDIX A

Maricopa County Juvenile Probation Department: Teen Court Program Performance Measures

School-Based Teen Court

- Number of schools participating in Teen Court
- Number of delinquent cases/complaints assigned to the school-based Teen Court
- Types of delinquent offenses assigned to school-based Teen Court
- Number of "school-related (non-delinquent)" cases assigned to the school-based Teen Court
- Number of juvenile defendants assigned to school-based Teen Court
- Number of juvenile volunteer participants in school-based Teen Court
- Number of adult volunteers participating in school-based Teen Court
- Number of "court sessions" concluded in the school-based Teen Court
- Number of "jury session" held in the school-based Teen Court
- Number of juvenile's who comply with the school-based Teen Court consequences.
- Number of juvenile's who non-comply with the school-based Teen Court consequences
- Juvenile recidivism rate of those juveniles who participate in the school-based Teen Court at 6 and 12 month intervals following completion of school-based Teen Court consequence
- Type of consequences and frequency of assignment of those consequences

Justice or Municipal Court-Based Teen Court

- Number of Justice or Municipal Courts participating in Teen Court
- Number of delinquent cases/complaints assigned to the Teen Court
- Types of specific delinquent offenses assigned to Teen Court
- Number of citations processed via Teen Court (ARS 8:323, non Juvenile Court referrals).
- Number of juvenile defendants assigned to Teen Court
- Number of juvenile volunteer participants in Teen Court
- Number of adult volunteers participating in Teen Court
- Number of "court sessions" concluded in Teen Court
- Number of "jury session" held in Teen Court
- Number of juvenile's who comply with the Teen Court consequences.
- Number of juvenile's who non-comply with the Teen Court consequences
- Juvenile recidivism rate of those juveniles who participate in the Teen Court at 6 and 12 month intervals following completion of school-based Teen Court consequence
- Types of consequences and frequency of assignments of those Court-based Teen Court consequences